

Economic Impact Statement
LSA Document #13-455

IC 4-22-2.1-5 Statement Concerning Rules Affecting Small Businesses**Description of rule**

This rule amends a rule that provides for the specifications, tolerances, and other technical requirements for weighing and measuring devices. The ISDH inspects weighing and measuring devices used in industry and at the consumer level to ensure accuracy based on the adopted standards. The amendment brings the rule up to date by including the latest versions of the National Institute of Standards and Technology (NIST) handbooks to ensure consistency within Indiana and throughout the United States.

Economic impact on small businesses**1. Estimate of the number of small businesses, classified by industry sector, that will be subject to the proposed rule.**

Businesses who have a weighing scale or sell products by volume or weight are subject to this rule. While the ISDH does not track all affected businesses, especially by size or number of employees, hundreds of these businesses may qualify as a small business under [IC 4-22-2.1-5](#).

2. Estimate of the average annual reporting, record keeping, and other administrative costs that small businesses will incur to comply with the proposed rule.

The amendments to this rule will not require any additional reporting, record keeping, or other administrative costs to comply with the proposed rule.

3. Estimate of the total annual economic impact that compliance with the proposed rule will have on all small businesses subject to the rule.

There will be no economic impact for compliance with the proposed rule. The small businesses currently follow these standards as they are the national standard.

4. Statement justifying any requirement or cost that is imposed on small businesses by the rule, and not expressly required by the statute authorizing the agency to adopt the rule, or any other state or federal law.

The amendments to this rule do not impose any requirement or cost on small businesses that is not expressly required by the statute authorizing the adoption of the rule. The authorizing statute is [IC 24-6-3](#).

5. Regulatory Flexibility Analysis**A. Establishment of less stringent compliance or reporting requirements for small businesses.**

It is not possible or desirable to establish less stringent compliance requirements for small businesses when you are setting standards for weight and volume. Consistency of these measures is necessary for intrastate commerce and interstate commerce.

B. Establishment of less stringent schedules or deadlines for compliance or reporting requirements for small businesses.

It is not possible or desirable to establish less stringent schedules or deadlines for compliance for small businesses. Consistency of these measures is necessary for intrastate commerce and interstate commerce.

C. Consolidation or simplification of compliance or reporting requirements for small businesses.

Consolidation or simplification of compliance or reporting requirements for small businesses is not possible. The national standards must be consistent statewide and nationwide to ensure intrastate commerce and interstate commerce.

D. Establishment of performance standards for small businesses instead of design or operational standards imposed on other regulated entities by the rule.

The standards that must be met are for all, whether it is a large or small business. The standards must be met continuously.

E. Exemption of small businesses from part or all of the requirements or costs imposed by the rule.

It is not sensible to exempt small businesses from any of the rule requirements or costs. Consistency of these requirements is necessary for intrastate commerce and interstate commerce.

Conclusion

This rule amendment does not increase costs or impose burdensome requirements. All businesses, small, medium, or large, must meet the same standards statewide and nationwide in order to maintain interstate

commerce. The ISDH is given the authority to inspect these businesses to ensure that weighing and measuring standards are met and that products manufactured and sold are compliant.

Posted: 02/26/2014 by Legislative Services Agency

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